

O 301557Z SEP 99
FM SECSTATE WASHDC
TO ALL DIPLOMATIC AND CONSULAR POSTS IMMEDIATE

C O N F I D E N T I A L STATE 184471

E.O. 12958: DECL: (OCTOBER 8, 1999 12:00 NOON EDT)
TAGS: [PTER](#) [OPRC](#)
SUBJECT: DESIGNATION OF FOREIGN TERRORIST ORGANIZATIONS

CLASSIFIED BY JOHN LIMBERT, DEPUTY COORDINATOR FOR
COUNTERTERRORISM,S/CT. REASON 1.5 (B) AND (D).

11. (C) BEGIN SUMMARY: THE 8 OCTOBER 1999 ANNOUNCEMENT BY THE SECRETARY OF STATE OF THE DESIGNATION OF "FOREIGN TERRORIST ORGANIZATIONS" IS LIKELY TO ATTRACT MEDIA COVERAGE AND OFFICIAL INTEREST IN SOME COUNTRIES. CHIEFS OF MISSION AND PUBLIC DIPLOMACY SECTIONS SHOULD CONSIDER GOVERNMENT-TO-GOVERNMENT ACTIONS AS WELL AS PUBLIC AFFAIRS ACTIONS APPROPRIATE TO THE LOCAL ENVIRONMENT. INSTRUCTIONS FOR SELECTED MISSIONS WILL FOLLOW BY SEPTTEL. END SUMMARY

12. (C) ON 1 OCTOBER 1999 THE SECRETARY OF STATE, AS REQUIRED BY THE ANTI-TERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996, WILL DESIGNATE "FOREIGN TERRORIST ORGANIZATIONS." UNDER THE STATUTE, THE SECRETARY MUST MAKE THESE DESIGNATIONS AT

LEAST EVERY TWO YEARS. DETAILS ON THE HISTORY, PROCESS, AND EFFECTS OF THE DESIGNATIONS ARE PROVIDED BELOW.

13. (C) THE 1999 LIST CONTAINS 28 DESIGNATIONS; THE 1997 LIST DESIGNATED 30 ORGANIZATIONS. THREE WERE DROPPED, ONE WAS ADDED, AND 27 ARE REDESIGNATED.

14. (C) THE DEMOCRATIC FRONT FOR THE LIBERATION OF PALESTINE (DFLP) AND MANUEL RODRIGUEZ PATRIOTIC FRONT DISSIDENTS (FPMR/D) WERE DROPPED DUE TO LACK OF TERRORIST ACTIVITY.

15. (C) THE KHMER ROUGE WAS DROPPED BECAUSE IT HAS EFFECTIVELY CEASED TO EXIST.

16. (C) AL-QA'IDA, THE ORGANIZATION/NETWORK BEHIND THE BOMBINGS OF OUR EMBASSIES IN KENYA AND TANZANIA, IS ADDED.

17. (C) SINCE THE LIST CONTAINS NO MAJOR CHANGES OR SURPRISES, DEPARTMENT DOES NOT ANTICIPATE THAT THE LIST WILL ATTRACT WIDE ATTENTION IN THE U.S. THE LIST IS LIKELY, HOWEVER, TO ATTRACT COVERAGE AND PROVOKE CONTROVERSY IN COUNTRIES HAVING AN INTEREST IN ONE OR MORE OF THE GROUPS.

18. (C) ADVANCE, CLEARED, UNCLASSIFIED MATERIAL IS BEING PROVIDED TO PAOS VIA USIS CHANNELS. SUGGEST CHIEFS OF MISSION CONSULT WITH THEIR PUBLIC DIPLOMACY OFFICERS TO DETERMINE THE PUBLIC STANCE MOST APPROPRIATE FOR THEIR ENVIRONMENT. USIA HAS TOLD US THEY PLAN TO TRANSLATE THE MATERIAL INTO THE MAJOR LANGUAGES.

19. (C) POSTS MAY WANT TO USE THAT SAME MATERIAL TO INFORM INTERESTED GOVERNMENTS PRIVATELY AHEAD OF THE 8 OCTOBER PUBLIC ANNOUNCEMENT.

110. (C) DESIGNATED FOREIGN TERRORIST ORGANIZATIONS, 1999. (NB: UNCLASSIFIED DESCRIPTIONS OF THESE AND OTHER TERRORIST ORGANIZATIONS ARE AVAILABLE IN THE STATE DEPARTMENT PUBLICATION "PATTERNS OF GLOBAL TERRORISM 1998." THE ENTIRE PUBLICATION IS ON BOTH THE STATE AND USIA WEB PAGES.)

- ABU NIDAL ORGANIZATION (ANO)
- ABU SAYYAF GROUP (ASG)
- ARMED ISLAMIC GROUP (GIA)
- AUM SHINRIYKYO (AUM)
- BASQUE FATHERLAND AND LIBERTY (ETA)
- HAMAS (ISLAMIC RESISTANCE MOVEMENT)

- HARAKAT UL-MUJAHIDIN (HUM)
- HIZBALLAH (PARTY OF GOD)
- GAMA'A AL-ISLAMIYYA (ISLAMIC GROUP, IG)
- JAPANESE RED ARMY (JRA)
- AL-JIHAD
- KACH
- KAHANE CHAI
- KURDISTAN WORKERS' PARTY (PKK)
- LIBERATION TIGERS OF TAMIL ELAM (LTTE)
- MUJAHEDIN-E KHALQ ORGANIZATION (MEK, MKO, NCR AND OTHERS)
- NATIONAL LIBERATION ARMY (ELN)
- PALESTINE ISLAMIC JIHAD-SHAQAQI FACTION (PIJ)
- PALESTINE LIBERATION FRONT-ABU ABBAS FACTION (PLF)
- POPULAR FRONT FOR THE LIBERATION OF PALESTINE (PFLP)
- POPULAR FRONT FOR THE LIBERATION OF PALESTINE-GENERAL COMMAND (PFLP-GC)
- AL-QA'IDA
- REVOLUTIONARY ARMED FORCES OF COLOMBIA (FARC)
- REVOLUTIONARY ORGANIZATION 17 NOVEMBER (17 NOVEMBER)
- REVOLUTIONARY PEOPLE'S LIBERATION ARMY/FRONT (DHKP/C)
- REVOLUTIONARY PEOPLE'S STRUGGLE (ELA)
- SHINING PATH (SENDERO LUMINOSO, SL)
- TUPAC AMARU REVOLUTIONARY MOVEMENT (MRTA)

¶11. (U) BACKGROUND:

(U) LEGAL EFFECTS OF DESIGNATION

- A) UNLAWFUL FOR A PERSON IN THE U.S. OR SUBJECT TO THE JURISDICTION OF U.S. TO PROVIDE FUNDS OR OTHER MATERIAL SUPPORT TO AN FTO
- B) ALIENS CAN BE DENIED VISAS OR EXCLUDED IF THEY ARE MEMBERS OR REPRESENTATIVES OF AN FTO
- C) U.S. FINANCIAL INSTITUTIONS MUST BLOCK FUNDS OF FTOS AND THEIR AGENTS AND REPORT THE BLOCKAGE.

¶12. (U) THREE CRITERIA FOR DESIGNATION

(U) THE THREE CRITERIA ARE:

¶A. THE ORGANIZATION MUST BE FOREIGN.

¶B. THE ORGANIZATION MUST ENGAGE IN TERRORIST ACTIVITY AS DEFINED IN SECTION 212 (A)(3)(B) OF THE IMMIGRATION AND NATIONALITY ACT.

¶C. THE ORGANIZATION'S ACTIVITIES MUST THREATEN THE SECURITY OF U.S. NATIONALS OR THE NATIONAL SECURITY (NATIONAL DEFENSE, FOREIGN RELATIONS OR THE ECONOMIC INTERESTS) OF THE UNITED STATES.

¶13. (U) THE PROCESS

(U) THE STATUTE REQUIRES THAT THE DESIGNATIONS BE SUBJECT TO JUDICIAL REVIEW. (FYI: THE LTTE AND THE MEK BOTH MOUNTED LEGAL CHALLENGES TO THEIR 1997 DESIGNATIONS AND LOST THEIR APPEALS.) THE RECOMMENDATIONS ON WHICH THE SECRETARY OF STATE BASED HER FINDINGS WERE MADE FOLLOWING AN EXHAUSTIVE INTERAGENCY EFFORT. WE HAVE KEPT AN ADMINISTRATIVE RECORD OF EACH RECOMMENDATION. BECAUSE THE RECORDS WOULD REVEAL INTELLIGENCE SOURCES AND METHODS, THEY ARE AND WILL REMAIN CLASSIFIED.

¶14. (U) THE DESIGNATIONS EXPIRE IN TWO YEARS UNLESS RENEWED. THE LAW ALSO ALLOWS GROUPS TO BE ADDED AT ANY TIME FOLLOWING A DECISION BY THE SECRETARY, IN CONSULTATION WITH THE ATTORNEY GENERAL AND THE SECRETARY OF THE TREASURY. DESIGNATIONS CAN ALSO BE REVOKED IF THE SECRETARY DETERMINES THAT THERE ARE GROUNDS FOR DOING SO AND NOTIFIES CONGRESS. CONGRESS CAN ALSO PASS LEGISLATION TO REVOKE DESIGNATIONS.

¶15. (U) ORIGIN

(U) THE LAW RESPONDS TO CONCERNS ABOUT FOREIGN TERRORIST ORGANIZATIONS RAISING FUNDS IN THE UNITED STATES.

(U) SOME TERRORIST ORGANIZATIONS HAVE PORTRAYED THEMSELVES AS RAISING MONEY FOR CHARITABLE ACTIVITIES SUCH AS CLINICS OR SCHOOLS. THESE ACTIVITIES HAVE HELPED RECRUIT SUPPORTERS AND ACTIVISTS AND HAVE SOMETIMES PROVIDED SUPPORT TO TERRORISTS.

(U) CONGRESS WAS QUITE AWARE THAT TERRORIST ORGANIZATIONS MIGHT CLOAK THEIR ACTIVITIES WITH PROFESSIONS OF GOOD WORKS AND ADDRESSED THE MATTER AS FOLLOWS: "FOREIGN ORGANIZATIONS THAT ENGAGE IN TERRORIST ACTIVITY ARE SO TAINTED BY THEIR CRIMINAL CONDUCT THAT ANY CONTRIBUTION TO SUCH AN ORGANIZATION FACILITATES THAT CONDUCT. (SECTION 301(A)(7))."

(U) THEREFORE, ANY CONTRIBUTION TO A FOREIGN TERRORIST ORGANIZATION, REGARDLESS OF THE INTENDED PURPOSE, IS PROHIBITED BY THE STATUTE, UNLESS THE CONTRIBUTION IS LIMITED TO MEDICINE OR RELIGIOUS MATERIALS.

¶16. (U) WASHINGTON ACTIVITIES

- A) ON 1 OCTOBER 99 THE SECRETARY SENDS THE DESIGNATIONS TO THE CONGRESS AS A CLASSIFIED DOCUMENT.
- B) ON 8 OCTOBER THE DESIGNATIONS ARE PUBLISHED IN THE FEDERAL REGISTER.
- C) ON 8 OCTOBER A SENIOR DEPARTMENT OFFICIAL (IDENTITY PENDING) WILL ANNOUNCE THE DESIGNATIONS AND BRIEF AT THE STATE DEPARTMENT. (NOTE: DUE TO POSSIBLE SCHEDULING CONFLICTS, THE DATE FOR THE ANNOUNCEMENT AND BRIEFING MAY SLIP TO TUESDAY, 12 OCTOBER.)
- D) AFTER THE STATE DEPARTMENT BRIEFING A SUITABLE OFFICIAL (PROBABLY COUNTERTERRORISM COORDINATOR AMBASSADOR MICHAEL SHEEHAN) WILL BRIEF AT PA'S WASHINGTON FOREIGN PRESS CENTER.

¶17. (C) PUBLIC AFFAIRS/PUBLIC DIPLOMACY GOALS FOR THE ANNOUNCEMENT:

- A) DISCREDIT FTOS AND WEAKEN PUBLIC AND GOVERNMENT SUPPORT FOR THEM.
- B) DISCOURAGE FINANCIAL AND IN-KIND CONTRIBUTIONS TO THEM
- C) REEMPHASIZE U.S. GOVERNMENT COUNTERTERRORISM POLICY.

¶18. (U) MISSIONS ARE INVITED TO SUGGEST PUBLIC ACTIVITIES, SUCH AS BACKGROUNDEERS WITH INDIVIDUAL JOURNALISTS AND THE LIKE. PLEASE SEND SUGGESTIONS BY EMAIL TO S/CT SENIOR ADVISOR FOR PUBLIC DIPLOMACY DONALD R. HAMILTON. (202) 647-9390.

¶19. (U) INSTRUCTIONS TO INDIVIDUAL POSTS WILL FOLLOW BY SEPARATE MESSAGE.

